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Report of the Working Group on Enforced or Involuntary Disappearances on its mission to Peru

Note by the secretariat

The secretariat has the honour of transmitting to the Human Rights Council the report of the Working Group on Enforced or Involuntary Disappearances on its mission to Peru.

At the invitation of the Government of Peru, the Working Group visited the country from 1 to 10 June 2015.

The Working Group thanks the Government of Peru for the invitation to visit the country and for its cooperation before and during the visit.

The Working Group found that the country has been transformed in the 30 years since its first visit, although deep inequalities still persist. Since 2000, important steps have been taken in relation to enforced disappearance, such as the establishment of the Truth and Reconciliation Commission, the exhumation, identification and return of hundreds of remains, and the provision of reparations. This progress has been achieved thanks to initiatives set in motion or carried out by the relatives of the victims or by civil society and by certain sectors of the State. In accordance with its international obligations, the State must assume this responsibility and play a leading role in ensuring that these initiatives are part of a comprehensive, consistent and continuous State policy carried out in cooperation and collaboration with the victims and their relatives.

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Report of the Working Group on Enforced or Involuntary Disappearances on its mission to Peru*

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* This report is being circulated in the language of submission and English only.

I. Introduction

1. The Working Group on Enforced or Involuntary Disappearances visited Peru from 1 to 10 June 2015, at the invitation of the Government. The Working Group thanks the Government for the invitation and for its cooperation before and during the mission, as well as its openness to dialogue. In addition, the Working Group expresses its gratitude to the associations of relatives of disappeared persons, the civil society organizations and, in particular, the relatives who provided information and testimonies. Lastly, the Working Group thanks the United Nations system in Peru and the Office of the United Nations High Commissioner for Human Rights for their valuable support.

2. The Working Group commends the Government for ratifying all United Nations human rights treaties, including the International Convention for the Protection of All Persons from Enforced Disappearance, and the Inter-American Convention on Forced Disappearance of Persons. The Government of Peru has extended a standing invitation to all the United Nations special procedures mandate holders.

3. The Working Group was represented by Mr. Ariel Dulitzky (Argentina) and Ms. Houria Es-Slami (Morocco). The purpose of the visit was to examine the main initiatives and policies undertaken by Peru in relation to cases of enforced or involuntary disappearance, particularly those that occurred between 1980 and 2000, as well as those that may have occurred subsequently — for various reasons — and to analyse in particular the aspects relating to justice, truth, reparation and memory for victims of enforced disappearance. This is in the light of the Declaration on the Protection of All Persons from Enforced Disappearance, which reflects, codifies and consolidates the customary international law that is legally binding on all States, including Peru.

4. In addition to the capital, Lima, the Working Group visited the cities of Ayacucho and Huánuco. It held meetings with high-level officials of the executive, legislative and judicial branches of government, as well as the Public Prosecution Service. These meetings helped the Working Group to understand the policies that the Government is implementing and provided the substantive basis for the present report.

5. The Working Group also met with representatives of the Ombudsman's Office. In addition, it met with numerous national and international NGOs, relatives of victims of enforced disappearance, persons who have been the victims of enforced disappearance and other stakeholders in society, including former members and the relatives of members of the Peruvian security forces.

6. The Working Group visited Peru for the first time in 1985 and conducted a follow-up visit in 1986. Since its establishment, the Working Group has received 3,010 complaints of enforced disappearance, of which 2,370 remain open and have yet to be resolved. As is the case in other countries, the number of complaints received by the Working Group represents only a fraction of the total number of cases of enforced disappearance in Peru.

7. The political and socioeconomic situation in the country has changed dramatically since the Working Group's previous visit in 1986. The democratic context is now different, and much progress has been made. In particular, the policy of carrying out systematic human rights violations, including enforced disappearances, has been abandoned.

8. The internal armed conflict that lasted from 1980 to 2000 was extremely brutal and left deep wounds and resentment among the population. Quechua-speaking and indigenous population groups, such as the Asháninka, as well as rural population groups and people living in poverty, were disproportionately affected. According to the Truth and Reconciliation Commission, 75 per cent of the persons who died in the internal armed

conflict spoke Quechua or other indigenous languages as their mother tongue. The Working Group saw, particularly in the course of its travels in the hinterland, that discrimination, exclusion and marginalization — conditions which were used by certain terrorist and subversive armed groups to serve their own ends to the detriment of human rights — are still evident, which partly explains the limited progress achieved in the areas of truth, justice and reparation. The Working Group found that the wounds left by the political violence remain open and very fresh among the victims. In particular, the Working Group highlights the intense suffering and serious long-term consequences experienced by Peruvian women.

9. In order to overcome the tragic effects of enforced disappearance on the victims and on society, strong political leadership is needed to design and implement comprehensive public policies that take into account ethnic, cultural and racial diversity, as well as a gender perspective and the living conditions of the victims and their relatives. This process should be carried out as a matter of urgency, in view of the long time that has elapsed since the events took place. Many of the relatives, witnesses and perpetrators have died, which means that a great number of the opportunities for gathering testimonial evidence, as well as for providing effective redress to the victims, are disappearing. Much of the material evidence is also being irretrievably lost.

10. The Working Group received conflicting information regarding the total number of victims of enforced disappearance. In the Central Register of Victims, there are 8,661 registered cases. It is widely recognized, however, that the real figure may be much higher. The International Committee of the Red Cross, the Public Prosecution Service and the Peruvian Forensic Anthropology Team estimate the figure to lie between 13,000 and 16,000 victims of enforced disappearance. These discrepancies make it difficult to appreciate the true dimensions of the problem and to effectively develop, implement and monitor comprehensive public policies. The Government has reported that, together with the International Committee of the Red Cross, it is seeking to promote coordination with a view to centralizing the information held by private and public institutions.

11. The country's citizens continue to be deeply divided in their perceptions and interpretations of the events of the past. Reconciliation is still ongoing and appears to be some way off, and, following the work of the Truth and Reconciliation Commission, no lasting national process been put forward with a view to achieving reconciliation.

II. Legal and institutional framework

12. The Working Group welcomes the fact that Peru has ratified the main human rights treaties, and in particular the International Convention for the Protection of All Persons from Enforced Disappearance. The Working Group also welcomes the adoption by Congress on 21 April 2016 of legislation recognizing the competence of the Committee on Enforced Disappearances to receive and consider individual communications.

13. The Working Group recognizes that article 320 of the Criminal Code, contained in Title XIV-A, "Crimes against humanity", stipulates that: "Any civil servant or public official who deprives a person of his or her liberty by ordering or carrying out an act the result of which is that person's duly proven disappearance, shall be liable to no less than 15 years' imprisonment and disqualification". Article 29 of the same Code establishes 35 years' imprisonment as the maximum penalty for enforced disappearance. The Working Group deplores the fact, however, that the definition and its interpretation are restrictive, so that not all acts of enforced disappearance are covered by that definition — a fact that the State itself acknowledges. Among other things, the phrase "duly proven" establishes a requirement that runs counter to international provisions. Moreover, the definition does not

recognize the possibility that private actors may be perpetrators of the crime of enforced disappearance if they act with the tolerance or acquiescence of State agents. The definition's incongruity with the Declaration and other international instruments, which is to some extent moderated by case law, contributes to impunity in the vast majority of cases of enforced disappearance. The draft reform of the Criminal Code will constitute a significant improvement by amending the definition of the offence of enforced disappearance to bring it into line with the definition set out in international law.

14. The special register of persons missing on account of enforced disappearance was established in 2004 by Act No. 28413. However, only 1,915 certificates have been issued to date, which might be explained by the cumbersome process requiring approval from the Ombudsman's Office, followed by judicial proceedings, in order to register.

15. The Working Group commends the establishment by Act No. 29809 of 2011 of a human rights governing body in the form of the Ministry of Justice and Human Rights. It highlights in particular the establishment within the Ministry of the Vice-Ministry for Human Rights and Access to Justice, which is responsible for drafting, coordinating, implementing and monitoring public policy on human rights and access to justice, including issues relating to enforced disappearance. The Working Group also welcomes the adoption by Congress on 26 May 2016 of the Act on the Search for Persons Who Disappeared during the Period of Violence from 1980 to 2000 (Bill No. 5290/2015), which provides for, inter alia, the implementation of a national plan for searching for disappeared persons.

16. There is no comprehensive legislation in Peru that covers all matters relating to enforced disappearance. As the Government mentions, legislation on the matter is fragmented and scattered, and in the different pieces of legislation various State institutions assume different responsibilities and follow different approaches. While the State maintains that this series of measures is aimed at creating a comprehensive legal framework, the Working Group views the recent adoption of the aforementioned Act as the first step taken towards adopting a coordinated, consistent, comprehensive, participatory and effective public policy to overcome some of the problems identified in this report.

17. The Working Group recognizes the important work carried out by the Ombudsman's Office to support the relatives of victims of enforced disappearances and to monitor and promote public policies on truth, justice, reparation and memory. Since its establishment, the Ombudsman's Office has been the only State body to consistently and continuously study the issue of enforced disappearance, identify progress or setbacks, and systematize the practice of disappearance and the State's response to it. It does this by issuing reports, helping to implement the special register of persons missing on account of enforced disappearance, supporting relatives and participating in numerous activities organized by the Government and society. In Lima as well as in Ayacucho and Huánuco, the Working Group noted the credibility and respect accorded to the Office by the various stakeholders. The Working Group believes that the failure to appoint an Ombudsman is hindering the Office's proper functioning and that the authorities should appoint one as soon as possible. It was the Ombudsman's Office that submitted to Congress the bill on the search for disappeared persons in April 2016.

18. In 2014, Peru adopted the National Human Rights Plan 2014-2016, along with other plans that address the issue of enforced disappearance, such as the national plan for education on fundamental rights and responsibilities, in force until 2021. During its visit, the Working Group heard civil society organizations criticize the National Human Rights Plan, in particular for failing to take due account of the participatory process that was carried out and for failing to listen to civil society organizations and give proper consideration to all their proposals.

III. Right to truth

19. Broad sectors of society are demanding to know the truth about the fate or whereabouts of the persons who disappeared. A number of associations of relatives and victims have been established which, together with NGOs, constitute an active civil society that is working to achieve that objective. The right to truth is an absolute right and a State obligation under the Declaration.

20. Major institutional processes have sought to reveal the truth about the cases of enforced disappearance. In particular, there was the establishment of the Truth and Reconciliation Commission in 2001, which drafted a comprehensive report based on thousands of interviews and testimonies collected from all the victims of the internal armed conflict, using a methodology that was in line with international standards. It also recognized the mass violence that occurred, estimating that Sendero Luminoso was responsible for 54 per cent of all the deaths.

21. In 2003, the Truth and Reconciliation Commission issued several crucial recommendations, but 12 years on the majority of those have yet to be implemented and still remain valid. No national commission for disappeared persons has been established, nor has any office for persons who disappeared during the internal armed conflict been set up. While an agreement was signed in 2006 between the Peruvian Forensic Anthropology Team and the regional government of Ayacucho to establish the first regional office for disappeared persons, and various workshops and activities were conducted to share good practices, the initiative did not come to fruition. Moreover, no national plan for forensic anthropological investigations has been established on the basis of the National Registry of Burial Sites developed by the Truth and Reconciliation Commission, as provided for in the new Act on the Search for Disappeared Persons. The Truth and Reconciliation Commission also recommended establishing a database that would allow for continuity in proceedings launched while the Commission was active and would include data from ante-mortem files, post-mortem analysis, genetic information, testimonies, graphic and photographic information, as well as the adoption of search protocols and the development of projects to obtain funding for forensic anthropological investigations.

22. The Working Group recognizes the great challenges the country is facing in its efforts to establish the truth. Its geographical characteristics hinder the search, as some of the areas where cases of enforced disappearance occurred are inaccessible. The time elapsed since the events occurred has resulted in further decomposition of the bodies and degradation of the places where they might have been buried. In many cases, the bodies were incinerated — making it even more difficult to identify them through DNA testing — or thrown into rivers. The Working Group also wishes to highlight the serious challenges faced by the forensic teams and prosecutors when they have to enter drug trafficking areas to carry out their investigations.

23. While the State is under an obligation to uncover the truth, in many cases it is not possible to individually identify each one of the victims. Indeed, experts and many of the families acknowledge that, in some places, exhumation is neither possible nor desirable. As the Working Group states in its general comment on the right to the truth, "there is an absolute obligation to take all the necessary steps to find the person, but there is no absolute obligation of result. Indeed, in certain cases, clarification is difficult or impossible to attain, for instance when the body, for various reasons, cannot be found. ... The State still has an obligation to investigate until it can determine by presumption the fate or whereabouts of the person".

24. Much remains to be done in terms of uncovering the truth. State efforts should be strengthened, and a new understanding of the purpose of the search is needed. It is virtually

unbearable for the relatives of the victims to accept that, more than 30 years after the events took place, they still do not have any information about the fate or whereabouts of their loved ones. Under the current circumstances, a more proactive and decisive State policy is needed to strengthen the search for the victims of enforced disappearance and thereby shed light on those cases.

25. Peru has opted for a prosecutorial rather than a humanitarian strategy in the search for disappeared persons. This means that the search for disappeared persons is carried out by judges and prosecutors as part of investigations that are mainly aimed at determining the criminal responsibility of the perpetrators, as opposed to determining the whereabouts of the disappeared person. Criminal investigations generally help to shed light on cases of disappearances. An effective criminal investigation can provide incentives for persons who have relevant information to share that information with the authorities conducting the search for the disappeared persons. Article 4.2 of the Declaration provides for the establishment of mitigating circumstances for persons who, having participated in enforced disappearances, are instrumental in bringing the victims forward alive or in providing voluntarily information which would contribute to clarifying cases of enforced disappearance. The Government states that habeas corpus is the appropriate judicial mechanism for determining the whereabouts of a disappeared person, though it does not provide evidence of any concrete results produced by means of this remedy.

26. This prosecutorial strategy, however, severely limits the success of the search. The criminal investigation and the search have two different objectives. The workload faced by judges and prosecutors, their lack of knowledge of search techniques, and the focus of the legal investigation on collecting and using evidence rather than on finding and identifying the disappeared person also hinder further progress. There is a need for a new understanding of the purpose of the search in order to strengthen its humanitarian aspect.

27. According to the Government, between 2002 and January 2016, a total of 3,410 bodies were recovered, of which 1,973 were identified and 1,804 were returned to the families. However, about half of the bodies exhumed and identified were remains of victims of summary killings. Also, in a number of exhumations, the identity of the victims was already known or presumed, and the aim was to scientifically determine the cause of death or their identity. These figures show just how slow and unhurried the process is. Unfortunately, many relatives have died and many others are of an advanced age and have still not received any information about the fate or whereabouts of their loved one after 30 years.

28. The Working Group noted that Peru does not have a national plan for searching for disappeared persons or a public map of potential grave sites where disappeared persons might be buried. The Act on the Search for Disappeared Persons provides for the establishment of both these tools. It is estimated that there are some 6,000 graves in Peru that have not yet been excavated.

29. The Working Group notes that Ayacucho was the epicentre of the violence that occurred between 1980 and 2000 and that a large percentage of the victims were from that region. The Central Register of Victims includes records of 3,960 victims of enforced disappearance in Ayacucho alone. A large number of excavations and exhumations have therefore taken place there, though there have still not been enough of these, and they have not been conducted with the necessary urgency. At the same time, the lack of a national plan for searching for disappeared persons has meant that other regions are not receiving the level of attention needed.

30. Under the current prosecutorial strategy, searches for disappeared persons are the responsibility of the Public Prosecution Service and are led by prosecutors. The Working Group welcomes the establishment of the Specialized Forensic Team in 2013 and the

significant contribution it is making. The Team was established by the Institute of Forensic Medicine in coordination with and under the supervision of the Attorney General's Office, which demonstrates once again the prosecutorial focus of the search strategy. The Team's purpose is to search for, identify and determine the cause of death of the many disappeared persons and victims of summary killings. The Specialized Forensic Team is made up of anthropology experts, both socioanthropologists and bioanthropologists, archaeologists, doctors, dentists and geneticists, as well as support staff such as photographers and radiographers. Its capacity is restricted, however, by limited financial and human resources. Due to this shortage of staff and resources, more than 300 remains have not yet been analysed or identified, which means that the process is extremely drawn out.

31. The Working Group was informed that positive results have been achieved in cases where specialized civil society organizations, associations of relatives and State bodies have cooperated with each other in the search, exhumation, identification and return of the remains of disappeared persons. Some civil society organizations have said, however, that the Specialized Forensic Team does not work with them in a coordinated and cooperative manner.

32. The Working Group witnessed first-hand the efforts being made to equip the Dr. José Macera Tito Forensic Anthropology Laboratory in Ayacucho with high-quality infrastructure, under the aegis of the Institute of Forensic Medicine. On the positive side, the Laboratory boasts, inter alia, specialized doctors, a multidisciplinary team and state-of-the-art equipment for the identification of remains, in addition to adequate infrastructure to carry out these procedures. It is regrettable, however, that the laboratory does not have the capacity to complete DNA analysis in Ayacucho and must send the samples to Lima and arrange for their return. It is also regrettable that the team members are few in number and must handle requests from all over the country, and that their capacity to carry out their work is severely restricted by budgetary constraints. It has been reported that the chemical reagents needed for DNA analysis are often unavailable.

33. In Peru, there is no genetic databank for all relatives of disappeared persons; moreover, DNA is not always used as a means of identification. The Act on the Search for Disappeared Persons provides for the establishment of a genetic databank that would fulfil this function.

34. When visiting the La Hoyada Shrine of Remembrance in Ayacucho, the Working Group was able to observe the investigative capacity of the Public Prosecution Service and the Specialized Forensic Team. La Hoyada is located next to the Los Cabitos military base — the headquarters of the Military Political Command of Ayacucho — which was used during the internal armed conflict as a place of detention, torture, killing and enforced disappearance. According to some accounts, the bodies of 300 persons believed to have been killed in Los Cabitos were exhumed and incinerated in La Hoyada. The report of the Truth and Reconciliation Commission includes testimonies concerning 138 cases of persons being kidnapped, tortured or killed by the security forces in Los Cabitos between 1983 and 1984. Between 2005 and 2009, the Institute of Forensic Medicine carried out exhumations in cooperation with the Peruvian Forensic Anthropology Team, when they unearthed 109 bodies in total (including about 50 intact bodies and the partial remains of some 50 more persons). In addition, they also found four furnaces — one of which had human remains inside it — which were presumably used to incinerate the bodies of victims of summary killings, as well as the pipes that supplied energy to those furnaces.

35. In La Hoyada, the Working Group also noted many difficulties that reflected existing structural problems in the search for disappeared persons. La Hoyada has yet to be completely excavated. In addition, traces of bodies are said to have been found in the "*chancheria*" (pork-butcher's shop) within the Los Cabitos military base, as well as on the hillsides of La Hoyada that have yet to be explored. According to some experts, La Hoyada

should be maintained as an open area, and the system of digging pits, as has been done thus far, should be avoided. The exhumation work began in 2005, but due to a lack of resources it had to be suspended and was resumed only from 2007 to 2009. Lastly, the difficulties faced when identifying the remains are a matter of concern. Of the 109 remains recovered from the graves in La Hoyada, only 4 have been identified.

36. Not all places where the remains of disappeared persons might be located benefit from proper protection and conservation measures. This jeopardizes the possibility not only of finding and identifying disappeared persons but also of gathering evidence to bring the persons responsible to justice. One of the biggest challenges noted is that many military bases have not been searched or excavated. It has also been reported that schools or other structures are being built on the site of other former military bases without due attention being given to the possibility of finding the remains of disappeared persons. Of the 31 hectares originally covered by La Hoyada, only 7 hectares remain, as squatters have occupied the land. This not only jeopardizes the possibility of securing truth and justice but is also an insult to and revictimization of the victims' relatives.

37. Actions of recognition and symbolic redress for 722 victims of enforced disappearance were taken between 2011 and 2015 by handing over coffins containing returned skeletal remains. The Working Group was informed about the practice of holding mass ceremonies for the return of remains. These ceremonies are organized by the prosecuting authorities in coordination with the High-Level Multisectoral Committee and other national and regional authorities. This form of return, which may involve the return of a single body or up to dozens of bodies at one time, is symbolically very important because it offers a way to measure the scope of the problem by the number of relatives who come to receive the remains of their loved ones. At the same time, however, it creates logistical problems and is not always appropriately handled by the authorities, which creates a sense of revictimization among the relatives. In some cases, the necessary attention was apparently not given to the issue of providing transport, accommodation and food to the family members who come to receive the remains, who often live far away from where the ceremony takes place. Also, there is no individualized, appropriate approach that meets the specific wishes of each family, as different cases and relatives from different regions, cultures or religious beliefs tend to be lumped together in the same ceremony.

38. The Working Group recognizes that the authorities acknowledge these problems and have begun to take significant steps in this regard. It is concerned, however, that the mass approach continues to be applied as the only return strategy.

39. The obstacles encountered in accessing information and archives are a major problem for victims in their search for the truth. In some cases, documents have been deliberately destroyed. The security archives, and particularly the armed forces archives, are still difficult or well-nigh impossible to access. The State has not provided all the evidence that would make it possible to ascertain the fate and whereabouts of the disappeared persons and would help to find the perpetrators. The authorities have not fully guaranteed access to information and to all the relevant archives. In general there is a reluctance to declassify or allow access to documents.

40. In particular, the armed forces have reported that much of the information does not exist, have provided contradictory information, or have stated that access to the information requested is not possible owing to the magnitude of the search it would need to undertake through its various archives. A number of the military personnel who participated in acts of violence apparently acted under pseudonyms or aliases, which makes it even more difficult to identify those responsible, owing to the absence of any lists containing those pseudonyms. The armed forces have not taken a proactive attitude towards searching for, analysing, organizing and processing the available information that would make it possible to determine the fate or whereabouts of disappeared persons and the circumstances

surrounding their disappearance and to identify those responsible or the manner in which the enforced disappearances were carried out. Nor have the highest government authorities, particularly the Ministry of Defence, issued specific and clear instructions to the armed forces to cooperate fully and proactively in the search for the disappeared, including with regard to accessing and exchanging information.

41. The Transparency and Access to Public Information Act has not enabled or facilitated access to information on disappeared persons. The claim of "reasons of State security" for denying requests for information should be used restrictively and only in exceptional circumstances, because this is a matter of investigating enforced disappearances committed in a context of international crimes. Given the time that has passed, it is hardly reasonable to suppose that State security could be jeopardized by access to these records.

42. To date, the archives of the National Police of Peru have not yet been analysed, systematized, declassified and made available to the judicial authorities and to the general public to facilitate the truth and remembrance process.

IV. Right to justice

43. The Declaration recognizes the right to a prompt and effective judicial remedy as a means of determining the whereabouts or state of health of disappeared persons and of identifying the alleged perpetrators and punishing them with appropriate sanctions. The investigation and prosecution by the competent authority must be thorough and impartial, making use of all the necessary resources and taking all the necessary actions to shed light on the facts, such as calling witnesses and assessing relevant evidence. Access to justice in cases of enforced disappearance and other serious human rights violations constitutes a fundamental right for the victims and their relatives. Prompt, effective and impartial prosecution guarantees that impunity will be tackled head on and that the rule of law will be upheld in the State in question.

44. The Working Group appreciates the establishment of a subsystem of criminal justice to deal with human rights violations, including by conducting specialized investigations into cases of enforced disappearance. It expresses its concern, however, about the extension of the competence of the National Criminal Court to cover other offences, whereas currently only collegiate courts can conduct these types of criminal proceedings.

45. In view of the magnitude of the human rights violations, and particularly the cases of enforced disappearance, as well as the time that has elapsed, a sufficient number of specialized prosecution units and courts must be made available throughout the country to ensure the right of access to comprehensive, effective and prompt justice. The caseload facing judges and prosecutors makes it even more difficult to guarantee this right, so that the Working Group considers it imperative to provide judges and prosecutors with the necessary job stability by reducing the provisional nature of appointments.

46. The Working Group commends the work carried out by the specialized prosecutors at the national level to investigate cases of enforced disappearance, bearing in mind that in many cases they are exposed to dangers, both those inherent to the geographical areas to which they are assigned and those arising from the investigation itself.

47. Judges should receive continuous training both in national legislation and in international standards on enforced disappearance and other crimes against humanity. This training should be based on guidelines governing special proceedings relating to investigation and prosecution as well as interactions with other relevant institutions or bodies and, in particular, dealings with civil parties or relatives of the victims. The Working Group wishes to highlight the itinerant court services offered throughout the country by the

National Criminal Court so as to make direct contact with relatives living in remote areas and with limited resources, and their lawyers. It also encourages the authorities to ensure the meaningful and active participation of victims' relatives and their lawyers in the proceedings, taking into account the logistical aspects and the relatives' economic situation, with a view to ensuring that they are present at key judicial proceedings.

48. This point is essential, especially given that, as the Working Group confirmed in Ayacucho and Huánuco, the responsibility for initiating proceedings often rests solely with the civil parties, as prosecutors do not play an active role in this regard. It is a matter of concern that only a small percentage of cases have been brought to trial and that, of the cases in which a judgment was issued, many resulted in acquittals or in sentences that do not reflect the gravity of the crime committed. The Working Group received different figures concerning the number of convictions handed down by the National Criminal Court. In 2013 and 2014, the National Criminal Court issued 14 judgments in cases of enforced disappearance. As at February 2015, four judgments have been issued for the offence, and three other proceedings are scheduled to begin shortly. This low number of legal proceedings could undermine the important judicial decisions in which the courts have found former military and police officers to be criminally liable, as well as the efforts to arrest and prosecute former members of State security forces for crimes of enforced disappearance.

49. One issue of particular concern to the Working Group is the evaluation of evidence submitted during proceedings to prosecute enforced disappearance. In a significant number of cases, prosecutors have temporarily or permanently shelved cases for a lack of sufficient evidence, particularly testimonies, at the level of the Public Prosecution Service. In some cases, it is even left to the civil parties or the relatives to collect evidence or submit information. Of particular concern is the handling of scientific evidence by the authorities and the primacy accorded to testimonial evidence over scientific evidence. The Working Group has reiterated the importance of using circumstantial evidence when prosecuting cases of enforced disappearance, given the nature of the offence, which necessarily implies the destruction of evidence and the fact that direct evidence is unlikely to be available.

50. Access to information is also a key issue. Restrictions on access to information imposed by officials of the Ministry of Defence, alleging that the information has disappeared or does not exist, indicates a lack of will on the part of the State to uncover the truth and to ensure that thousands of Peruvian victims, direct and/or indirect, of the political violence have unrestricted access to justice. The Working Group recalls the duty of the judicial authorities to demand relevant evidence and the obligation of the State to provide the necessary resources and capacity, regardless of the body that is asked to provide such information. If the authorities of the Ministry of Defence were to facilitate the use of evidence in criminal proceedings, this would greatly contribute to shedding light on cases of enforced disappearance and convicting the perpetrators, and it would also contribute significantly to national reconciliation. The country's highest authorities must request that the required information be submitted, and they must be diligent in establishing responsibility for failure to provide such information. The State is responsible for the lack of access to information in these cases.

51. The Working Group recognizes the work carried out by human rights organizations to support victims' relatives in criminal proceedings as well as the fundamental role played by the International Committee of the Red Cross, particularly in Ayacucho. Nevertheless, it should be noted that this responsibility must be assumed by the State. The Working Group therefore welcomes the recent appointment of public defenders for victims from the General Directorate of the Public Defence Service and Access to Justice within the Ministry of Justice and Human Rights. Similarly, the Working Group urgently calls on the State to ensure that those public defenders specialize solely in human rights violations, that the

number of professionals in such posts is increased, that they receive training on the cultural sensitivity needed, especially as it relates to using the relatives' language, and that they are provided with the necessary knowledge about the violence that occurred in Peru. Fully trained public defenders for victims could play a key role in eliminating the barriers that still hinder access to justice.

52. In addition to ensuring the safety of prosecuting attorneys in criminal proceedings involving enforced disappearance, it is equally necessary to ensure that witnesses are protected in such cases. While the Working Group was not informed of any specific cases of reprisals or intimidation, many people said that they were afraid to testify in proceedings. The Working Group highlights the need for all officials to be informed about the Protection and Assistance Programme for Victims and Witnesses, led by the Public Prosecution Service, and to ensure that all witnesses can testify during the investigations without being exposed to reprisals. The Working Group noted that prosecutors and witnesses were sometimes unaware of the Programme or of other programmes that could offer them protection.

53. Lastly, while there is no longer a systematic and widespread pattern of enforced disappearance in Peru, there are some recently reported cases that have come to the Working Group's attention that might constitute enforced disappearance. Such is the claim made by the relatives of Bruno Carlos Schell, an Argentine citizen who disappeared in Lima in June 2013 and whose whereabouts are unknown. Even though this is a recent case, according to the information received, the victim's relatives are facing the same problems as those faced by the relatives of persons who disappeared in the 1980s, such as the investigations being delayed or information being restricted by the authorities. It is worrying that, despite the years that have passed since the first cases of enforced disappearance in Peru, the Peruvian judicial system continues to suffer from legal and structural limitations that hinder the determination of the whereabouts or the discovery of the remains of disappeared persons.

V. Right to reparation

54. Article 19 of the Declaration imposes upon States the obligation to provide reparation to the victims and their relatives in cases of enforced disappearance, and to provide them with adequate compensation.

55. The Working Group welcomes the progress made by Peru with regard to reparations, particularly the establishment of the Comprehensive Reparations Plan, as proposed by the Truth and Reconciliation Commission. The Working Group also welcomes the fact that the Plan has been given the institutional support necessary for its implementation, with the establishment of the Central Register of Victims and the High-Level Multisectoral Committee. Similarly, it recognizes the efforts made by regional governments, such as the government of Huánuco, to encourage the establishment of regional reparations plans.

56. The Working Group has received information about the work done by the Reparations Board to register victims. According to this information, as at 31 March 2015, a total of 211,999 individual victims from 5,708 communities, and 56 organized groups of displaced persons, have been registered in the Central Register of Victims. With respect to enforced disappearance, 8,661 victims and 18,000 relatives have been identified. Also, 16,397 relatives of victims of enforced disappearance have received financial compensation totalling 55,312,289 soles; of these beneficiaries, 5,780 are from the region of Ayacucho. A total amount of 253,600,000 soles has been granted as individual financial compensation to 76,590 beneficiaries. Between 2007 and 2014, the High-Level Multisectoral Committee

implemented a budget of 506,129,000 soles. With regard to reparation in the form of education benefits for relatives of victims of enforced disappearance, 846 scholarships have been granted, of which 130 were granted to the children of victims of enforced disappearance.

57. Nevertheless, the Working Group has identified many challenges. In the first place, the Central Register of Victims was closed on 31 December 2011. In addition, the Working Group is concerned that, when granting reparation, the fact that some victims experienced multiple violations is not taken into account. In this regard, while welcoming the judgment of 10 May 2016 issued by the Fifth Specialized Constitutional Court of Lima, which recognizes the fact that victims suffered multiple violations during the internal armed conflict, the Working Group notes with concern that the judgment, which would cover 5,516 persons, has been appealed by the Ministry of Justice and Human Rights.

58. The Working Group has taken into account the views of the relatives of the victims, who, in various forums, expressed their dissatisfaction with the amounts granted as compensation and considered them to be insulting, discriminatory and an example of secondary victimization. The Working Group recognizes the high economic cost incurred by granting such compensation; however, it wishes to point out that reparation should be proportionate to the gravity of the damage caused and its effects, as stipulated in the general comment on article 19 of the Declaration, and it urges the State to give prompt attention to this matter.

59. The Working Group highlights the fact that the Comprehensive Reparations Plan recognizes other types of reparations — such as those relating to education, housing and health — and thus attaches a broader sense to the term than mere financial compensation. In this regard, it appreciates the efforts that have benefited the country's population and that constitute tangible progress towards ensuring full reparation for victims. The Working Group recognizes that the State recently allowed educational reparations to be transferred to a victim's direct descendant, taking into account the special circumstances and the psychosocial situation and age of the victims and relatives.

60. In the light of the mental and psychological effects of the political violence, which still persist, particular attention should be given to health reparations. While recognizing the State's efforts to provide adequate resources and staff through the Ministry of Health, the Working Group notes that these are still very limited and believes that urgent measures are required. In Ayacucho and Huánuco, despite pointing out the urgent need to address the issue of mental health at the individual and community levels, the Working Group observed that human and financial resources were limited for the bulk of the population and in many cases non-existent. In other contexts, mental health-care providers are not specialized in dealing with cases arising from political violence; there is a high turnover of staff and a lack of experience in the area, and often cultural background and gender are not taken into account. The coordination efforts in the area of mental health care between state, national and regional bodies and civil society organizations in Huánuco should serve as a model to be improved upon and replicated in other areas.

61. The Working Group draws attention to the lack of detailed information regarding the way in which the State implements the reparations programme from a gender and intercultural perspective. This would indicate that reparations are not carried out from a comprehensive perspective that takes into account the particular way in which women and persons belonging to indigenous peoples such as the Asháninka- and Quechua-speaking peoples were affected by the violence. This shortcoming not only makes reparations less effective but may also serve to perpetuate discrimination in the country.

62. Other forms of violence apart from rape are also not likely to be taken into account for the purposes of reparation. In cases of enforced disappearance in particular, many

women were victims of various types of sexual violence at the time their loved ones disappeared or in the course of their search for them, and they have not received adequate reparation. The Working Group reminds the State of its obligation to make reparation for all human rights violations.

VI. Right to memory

63. The Working Group emphasizes the need to create a comprehensive memory policy that takes into account the importance of officially recognizing places of remembrance, including existing ones, and that promotes an ongoing exchange with relatives and associations of relatives with regard to those places. Remembrance processes can repair the torn fabric of society and encourage reconciliation among its members, by acknowledging and reconciling their memories.

64. The Working Group welcomes the construction of the Place of Remembrance, Tolerance and Social Inclusion and its inauguration in December 2015. It also highlights the inclusion of information on the gravity of the situation of enforced disappearance during the period of violence and its impact on the victims' relatives and communities.

65. Furthermore, it urges the State to take the necessary measures, through its various bodies in the central Government and local and regional governments, to respect, preserve and promote places of remembrance throughout the country, whether they are created by the State or by civil society. The Working Group observed that the authorities have neglected these places and have not given them adequate maintenance or protection. Instead, they are being protected, subject to obvious constraints, by civil society organizations and associations of relatives. The current situation at the La Hoyada Shrine of Remembrance should be given particular attention, as in recent years it has suffered from squatting, encroachment and neglect.

66. The Working Group recognizes the importance of the "Yuyanapaq" photographic exhibition in the Ministry of Culture. This is an important initiative that should be replicated elsewhere in the country as part of comprehensive efforts to build a shared memory. The national education system, both civilian and military, should place greater emphasis on remembering what happened during the period of violence. In particular, there is a need to work with children, adolescents and young people, both at the standard basic education and higher education levels.

VII. Concluding observations

67. The Working Group appreciates the substantive information provided by government authorities and the various branches of the Government at the national, regional and local levels, the Ombudsman, civil society organizations, relatives and victims, for a better understanding of the phenomenon of enforced disappearance in Peru.

68. The Working Group found that the country and its society have been transformed in the 30 years since the Group's first visit, even though deep inequalities still persist. In particular, the State policy of carrying out systematic human rights violations, including enforced disappearance, has ceased. With great effort the country has managed to overcome the subversive violence, albeit at a high human cost. Nevertheless, deep wounds have yet to heal. It is a matter of concern that, despite the progress achieved, the effort to clarify the fate of those who disappeared has been very slow and limited, with a State structure that is insufficient given the size of the problem. As a result, not many cases of enforced disappearance have been resolved. This has left the victims' relatives in a perpetual state of uncertainty and prevented them from healing their wounds, as was conclusively confirmed

during the visit. Shedding light on these cases should be a State priority as part of the process of truth, reparation, justice, memory and reconciliation.

69. Despite the progress achieved in combating poverty, large socioeconomic disparities, discrimination, exclusion and marginalization, which were used by subversive groups as a justification for political violence and which made the impact of that violence even worse, are still present, and they are hindering the success of many of the measures taken with respect to truth, justice, reparation and memory. The Working Group saw this especially when travelling around the country's hinterland.

70. There are other specific challenges, including: the absence of an exact number for disappeared persons; the few judicial proceedings that have been completed; the light sentences handed down to perpetrators; the slow progress made in judicial proceedings; the failure to implement a national plan for searching for disappeared persons and a national map of grave sites; the limited number of disappeared persons exhumed and identified; the absence of a genetic databank; the lack of comprehensive psychosocial care for victims; and the absence of a public policy on remembrance. There is no legal framework that deals with the different aspects of prevention, investigation, penalties and reparation for victims of enforced disappearance. The recent adoption of the Act on the Search for Disappeared Persons, as well as the allocation of an adequate budget for its implementation and operation, could help to overcome many of these challenges.

71. Since 2000, some significant steps have been taken to secure truth, justice and reparation and to preserve memory in the context of the enforced disappearances committed during the period of political violence. Examples of tangible and valuable progress include: the work of the Truth and Reconciliation Commission; the exhumation, identification and return of hundreds of remains; the monetary, educational and health reparations provided to victims; the establishment of the Vice-Ministry for Human Rights and Access to Justice; the role played by the Ombudsman's Office; the subsystem of the criminal justice system devoted to human rights, which has handed down significant though few convictions; and the places of remembrance that have already been built or are under construction.

72. This progress has been achieved thanks to initiatives set in motion or carried out by victims' relatives or by civil society and some sectors of the State. In accordance with its international obligations, the State must assume this responsibility and play a leading role in ensuring that these initiatives become part of a comprehensive, consistent and continuous State policy carried out in cooperation and collaboration with the victims and their relatives. This would send a strong message condemning enforced disappearance. The armed forces should make a clear commitment to cooperate in the search for truth and justice, which means that the highest political authorities must issue clear instructions to that effect. All of this would help build the foundations of a State that will not allow these very serious human rights violations ever to be committed again on its behalf.

73. The Working Group had occasion to meet dozens of relatives. Practically all of them expressed deep frustration at the impediments to and difficulties in accessing the information they need in order to clarify the fate and whereabouts of their loved ones. In particular, they indicated that being of Quechua-speakers and using other indigenous languages, combined with their socioeconomic condition exposed them to discrimination and contempt on the part of the authorities. Because enforced disappearance has greatly affected Peruvian women, all actions relating to enforced disappearance should take into account a gender perspective. In view of the lapse of time since most of the cases of enforced disappearance began and the advanced age of many of the witnesses, relatives and perpetrators, the State should urgently and immediately prioritize the search for the truth, and in particular the determination of the fate and whereabouts of disappeared persons. While in some cases it is difficult or nearly impossible to establish the ultimate fate of disappeared persons, the State has an absolute obligation to take all necessary, reasonable

and effective measures to locate such persons or elucidate their fate. Justice and full reparation for victims should be treated with the same urgency.

74. The Working Group again expresses its solidarity with the victims of enforced disappearance and their relatives. Their constant suffering is tangible evidence that enforced disappearance is a continuing crime and a permanent violation of human rights until the fate and whereabouts of the victim are clarified.

75. The Working Group recognizes the efforts of the many human rights defenders, NGOs, lawyers and all those who work tirelessly, even in adverse circumstances, to bring the perpetrators to justice and to restore and preserve the memory of the victims of this terrible practice. It therefore urges the State and the international community to give continuous support to such efforts. The international community should support Peru in these initiatives by providing funding, training and technical assistance. The Working Group encourages the State, civil society and the victims' relatives to strengthen their collaboration so as to bring together all the existing resources and joint actions in a cooperative, concerted and coordinated manner.

76. The Working Group would welcome the opportunity to continue its constructive dialogue with the State of Peru and offers its assistance in fully implementing the Declaration.

VIII. Recommendations

A. General recommendations

77. **The Working Group recommends that the State of Peru:**

(a) **Recognize the scope of the problem of enforced disappearance in the country and act with due urgency and speed;**

(b) **Establish the total number of victims of enforced disappearance in a systematized way, working in collaboration with the International Committee of the Red Cross, civil society organizations and victims' relatives, in order to avoid the conflicting information that still exists;**

(c) **Design and implement, as a matter of urgency, public policies to deal with enforced disappearance and its effects in a holistic and comprehensive manner, with a clear and resolute respect for ethnic, linguistic, cultural and racial diversity and a clear cross-cutting gender perspective;**

(d) **Work to eradicate the conditions of discrimination, exclusion and marginalization that were exploited during the internal armed conflict and are still present in Peru today;**

(e) **Promote policies of reconciliation, to be implemented mainly through the education system.**

B. Legal and institutional framework

78. **The Working Group recommends that the State of Peru:**

(a) **Promptly implement the Act on the Search for Persons Who Disappeared during the Period of Violence from 1980 to 2000 (Bill No. 5290/2015), adopted in May 2016;**

(b) **Adopt and implement without delay Bill No. 1406/2012-CR on amending the definition of the offence of enforced disappearance set out in the Peruvian Criminal Code to bring it into line with the Declaration and other international instruments;**

(c) **Facilitate registration in the special register of persons missing on account of enforced disappearance; organize awareness-raising and registration campaigns to give greater legal security to the relatives of disappeared persons;**

(d) **Increase the powers of the Vice-Ministry for Human Rights and Access to Justice, so that it may play a more active and leading role, particularly in the search for disappeared persons and in the management of the database on cases of enforced disappearance;**

(e) **Provide greater institutional and financial support to the Ombudsman's Office to strengthen its work, and immediately appoint an Ombudsman;**

(f) **Implement a national human rights plan that includes the contributions from civil society in relation to enforced disappearance.**

C. Right to truth

79. **The Working Group recommends that the State of Peru:**

(a) **Establish a national commission for persons who disappeared during the internal armed conflict between 1980 and 2000, as recommended by the Truth and Reconciliation Commission in 2003;**

(b) **Establish an office for persons who disappeared during the internal armed conflict, to be responsible for setting up and managing a national database on cases of enforced disappearance;**

(c) **Urgently adopt a strategy focused on the search for, identification of and return of remains from a humanitarian perspective and independently of judicial proceedings;**

(d) **Provide financial and institutional support to the Ministry of Justice and Human Rights to enable it to implement the Act on Searching for Disappeared Persons without delay;**

(e) **Create a national plan for forensic anthropology investigations that includes protocols on searching for disappeared persons, so as to provide a structural framework for the process of searching for victims of enforced disappearance;**

(f) **Develop the National Registry of Burial Sites created by the Truth and Reconciliation Commission and the corresponding database;**

(g) **Offer special support and protection to forensic experts and prosecutors during their investigations, particularly in dangerous areas where activities linked to drug trafficking take place;**

(h) **Provide further human resources and budget support to the Specialized Forensic Team so that it can achieve better results and make rapid progress in the search for and identification of remains;**

(i) **Extend the Team's capacity for action to other regions of the country;**

(j) **Promote practices of mutual cooperation between all State bodies and members of Peruvian society, in the light of the very high number of disappeared persons whose fate is still unknown;**

(k) **Provide the Dr. José Macera Tito Forensic Anthropology Laboratory with the necessary scientific and human resources, making it a matter of political priority to shed light on cases of disappearance;**

(l) **Extend the use of DNA analysis, in order to prevent mistaken identifications and make it possible to identify the hundreds of bodies that were exhumed years ago but still remain unidentified;**

(m) **Speed up the excavations in Ayacucho as well as in other regions of the country where cases of enforced disappearance occurred;**

(n) **Ensure that the wishes of the disappeared person's family are respected when returning the remains and that the family members are provided with all the support they need to travel to and from their place of residence to recover the remains of their loved one;**

(o) **Facilitate access to the information held in the archives of the armed forces and the national police by ensuring that the Ministry of Defence fully complies with court injunctions, primarily with regard to any information they may be able to provide about burial sites and perpetrators.**

D. Right to justice

80. **The Working Group recommends that the State of Peru:**

(a) **Continue to restrict the jurisdiction of the National Criminal Court exclusively to offences relating to human rights violations, rather than expanding its competence to cover ordinary offences;**

(b) **Create more prosecutor's offices and courts at the national level to handle and expedite trials of cases of enforced disappearance;**

(c) **Maintain job security for judges and prosecutors so as to guarantee continuity in complex judicial proceedings and ensure the impartiality and independence of judges; provide the necessary human and financial resources so that all justice officials may carry out their work in an honest and efficient manner;**

(d) **Ensure the safety of prosecutors and judges when conducting their investigations, primarily when visiting areas where access is difficult or complicated;**

(e) **Provide training on national legislation and international standards on enforced disappearance and other crimes against humanity to members of the judiciary and the Public Prosecution Service who are involved in the investigation of cases of enforced disappearance;**

(f) **Promote the active and coordinated participation of victims' relatives and their lawyers in all judicial proceedings requiring investigations, with the aim of overcoming cultural, geographic and economic barriers and thus facilitating access to justice; ensure this participation through coordination with associations of relatives, NGOs and the International Committee of the Red Cross;**

(g) **Expedite the issuing of judgments by the judiciary in the trials of cases of enforced disappearance currently under way and promote the opening of new trials;**

(h) **Strengthen efforts by the judiciary to collect and handle evidence, since thus far the courts have mostly relied on evidence provided by civil parties;**

(i) **Attach particular attention to circumstantial evidence in cases of enforced disappearance instead of giving primacy to testimonial evidence;**

(j) **Encourage public defenders from the General Directorate of the Public Defence Service and Access to Justice to specialize in human rights violations, and train them on issues relating to the political violence in Peru and also on knowledge of indigenous languages such as Quechua and Asháninka;**

(k) **Increase the number of public defenders that exclusively defend human rights cases, especially in the areas most affected by the violence;**

(l) **Ensure greater visibility for the Protection and Assistance Programme for Victims and Witnesses, led by the Public Prosecution Service, by raising awareness of the programme among victims, witnesses and prosecutors and emphasizing its importance;**

(m) **Identify the greatest challenges in the work of the national justice administration system and overcome those challenges, striving for the effective implementation of human rights.**

E. Right to reparation

81. **The Working Group recommends that the State of Peru:**

(a) **Reopen registration in the Central Register of Victims so as to ensure that all victims of the internal armed conflict have access to appropriate reparation;**

(b) **Increase the budget allocated for reparations, so as to ensure that the latter are adequate and comprehensive;**

(c) **Promote regional reparations plans, providing the financial and human resources needed to duly implement the plans;**

(d) **Hold regular dialogues between State officials, civil society and associations of relatives regarding the reparations policy;**

(e) **Take into account the multiple violations suffered by victims when determining the type and amount of reparation to be granted;**

(f) **Immediately attend to and implement the decision of the judge of the Fifth Constitutional Court in Lima recognizing that victims suffered multiple violations during the internal armed conflict, taking into account in particular the age and personal situation of the victims' relatives;**

(g) **Increase the budget allocated to the Ministry of Health to expand and strengthen the health reparations plan, taking into account the consequences of failing to provide mental health care to victims of the armed conflict;**

(h) **Increase human resources by recruiting qualified staff to work in the area of mental health reparations, and train those staff members on cultural and gender issues and on the internal armed conflict, so that they can offer appropriate treatment to victims;**

(i) **Adopt a public reparations policy that is culturally sensitive and incorporates a gender perspective, taking into account the fact that beneficiaries belong to an indigenous people;**

(j) **Develop a reparations plan for victims of sexual violence.**

F. Right to memory

82. **The Working Group recommends that the State of Peru:**

(a) **Implement a comprehensive policy on memory at the national, regional and local levels through programmes that aim to foster reconciliation among Peruvian citizens, focusing on the younger generations who did not live through the period of violence; this policy should be created by the Ministry of Culture in coordination with other institutions, such as the Ombudsman's Office and regional and local governments;**

(b) **Promote dialogue among the parties concerned regarding the importance of places of remembrance and their meaning as a symbol of the desire for national reconciliation;**

(c) **Provide the necessary financial and institutional support to the Place of Remembrance, Tolerance and Social Inclusion to enable it to operate sustainably and offer a space in which to reflect on the political violence experienced in Peru; the Ministry of Culture should play a major role in this;**

(d) **Promote measures to protect and preserve places of remembrance, such as "The Eye that Cries" in Lima, providing them with the necessary financial and logistical support;**

(e) **Adequately preserve the La Hoyada Shrine of Remembrance in Ayacucho, which has been exposed to squatting, encroachment and neglect at least over the past five years. The Working Group acknowledges Regional Ordinance No. 008-2015-GRA/CR of 10 November 2015 declaring La Hoyada to be an area for conservation and protection and urges the Ayacucho regional government to take urgent measures to avoid irreversible damage to the area;**

(f) **Maintain constant dialogue and coordination with the relatives of the victims when designing, developing and taking care of the shrine to make it feel like a place of remembrance;**

(g) **Build new places of remembrance across the country as part of a memory policy, with the broad participation of all sectors of Peruvian society;**

(h) **Amend the curricula in schools, universities and police and military training centres to include chapters specifically devoted to the period of political violence, in order to encourage national reconciliation in Peru;**

(i) **Promote activities relating to national reconciliation at all levels of education, such as visits to places of remembrance and the "Yuyanapaq" photographic exhibition in the Ministry of Culture;**

(j) **Create photographic exhibitions on the period of political violence throughout the country, and encourage mobile displays of the "Yuyanapaq" photographic exhibition;**

(k) **Promote the work of the Documentation Centre at the Place of Remembrance, Tolerance and Social Inclusion and combine it with the document archive of the Truth and Reconciliation Commission that is being maintained by the Ombudsman's Office for purposes of academic research, and treat the information contained therein as relevant to judicial proceedings.**

G. Assistance and cooperation

83. **The Working Group encourages the State to seek the support of the Office of the United Nations High Commissioner for Human Rights to implement the recommendations contained in this report.**

84. **The Working Group invites the Government of Peru, within 90 days from the date of submission of the present report, to submit a timetable indicating the steps that will be taken to implement the recommendations of the Working Group.**